

# NEW JERSEY MILITIA NEWSLETTER

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*All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.*

-- Article 1, Section 1, New Jersey State Constitution

## Martial Law in a Nutshell

By Mary Maxwell, PhD

1. Q: Is it likely that martial law is imminent in the U.S.?

A: Yes. The way has been partially cleared for it legally by the Homeland Security Act that 'grandfathered in' the whole of a secret 1979 executive order dealing with emergency rule. One legal hurdle to martial law still remains, namely, the Posse Comitatus Act of 1878, which explicitly forbids soldiers to participate in domestic law enforcement. However, Congress could easily annul the Posse Comitatus Act, and is being pressured by the attorney general and the Pentagon to do just that.

2. Q: What is martial law?

A: In popular usage, martial law means that some or all civil liberties are suspended. For example, there could be a curfew, which would prevent people from exercising their normal liberty to walk around after 9 p.m. Legally, martial 'law' means that military commanders are assigned to carry out law and order among civilians. Hence, soldiers can determine what the rules are, can arrest civilians for breaking them, and can subject them to summary justice. A person could not turn to the courts for help.

3. Q: At the moment, while the Posse Comitatus Act is still in effect, does it offer good protection?

A: No. Posse Comitatus was substantially weakened by amendments in 1981 and 1991 that gave the Defense Department a role in the enforcement of drug laws. Since then, many American cities have acquired joint task forces composed of military and local police (who can be temporarily deputized as federal officers). A drug dealer, or an innocent person, may have his door broken

down--legally--and his home entered by soldiers and police with guns drawn.

4. Q: What does the Constitution of the U.S. say about martial law?

A: The term 'martial law' never appears in the Constitution. However, the idea of it is conveyed in two sections of Article I as follows: Section 8 says The Congress shall have the Power . . . (15) To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions. Section 9 (2) says The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in cases of Rebellion or Invasion the public Safety will require it.

5. Q: Does the Constitution tell us which branch of government has the right to declare martial law?

A: Yes, the legislative branch has the right. Currently, there are 'White House radicals,' particularly in the Office of Legal Counsel to the President, advocating the position that the Constitution can be interpreted to support almost unlimited executive power. However, even they must acknowledge that the above-quoted sections (Sections 8 and 9) appear in Article I of the Constitution, which is the article that allocates specific powers to the legislature. Indisputably, this means that Congress can suspend our right to habeas corpus. One looks in vain for any similar authority for the president. Article II, which lays out the prerogatives of the executive branch, is silent on these matters.

6. Q: Has martial law ever been declared in the U.S.?

A: Yes. President Lincoln declared it during the Civil War. but this was overruled by the Supreme Court, after the war ended, in the case of *Ex Parte Mulligan* (1866). Mr. Mulligan was a

civilian in Indiana who was allegedly aiding the enemy, i.e., the Confederacy. He was arrested and tried by the military. The Supreme Court ruled that there was no justification for martial law since the ordinary courts had functioned throughout the Civil War, and thus Mr. Mulligan should not have been deprived of his right to habeas corpus. One of the Justices said, "No graver question was ever considered by this court, nor one which more nearly concerns the rights of the whole people . . ." (Note: the Latin 'habeas corpus' literally means "Produce the body" i.e., bring the accused before a judge.)

7. Q: Will we ever see Army tanks roll onto the streets in our country?

A: This has already happened. Tanks rolled out in Los Angeles during the Watts riots in 1965. It happened again in that city in 1992, when rioting followed the verdict of 'not guilty' in the case of four white police officers who had severely beaten an African-American, Rodney King.

8. Q: What is the first assignment for soldiers when martial law is declared?

A: If the actual intent of the government is to establish illegitimate dictatorial rule, one of the first things it must do is remove oppositional leaders and popular figures--be they poets, physicians, priests, or judges. When General Augusto Pinochet seized power in Chile in 1973, his soldiers immediately arrested hundreds of dissidents and corralled them in a stadium. They were subsequently tortured and many were 'disappeared.' Now, three decades later, technological advances such as stun guns and remote-control pain delivery make it

even easier to arrest huge groups of people.

9. Q: Is it conceivable that mercenaries would be used domestically?

A: It is more than conceivable; it has already happened. Following Hurricane Katrina, the Blackwater USA (and perhaps other mercenary units) were assigned to duty in Louisiana by the Federal Emergency Management Agency (FEMA).

10. Q: Where does FEMA get its authority?

A: As above mentioned, the Homeland Security Act established it legislatively. Section 502 of that act says "... there shall be transferred to the Secretary [of the new Homeland Security Department] the functions, personnel, assets, and liabilities of ... the Federal Emergency Management Agency."

11. Q: What can be done to minimize the chance of martial law?

A: Professor Harold Koh, Dean of Law at Yale, provides excellent recommendations for reform in his 1990 book *The National Security Constitution*. Koh calls for a return to the proper balance of power among the three branches of government, even in times when foreign crises--or domestic terrorism--work to unbalance those powers.

## **"The Bias Against Guns"**

By John Lott

In 1985, just eight states had the most liberal right-to-carry laws -- laws that automatically grant permits once applicants pass a criminal background check, pay their fees and, when required, complete a training class. Today the total is 35 states. My book, *The Bias Against Guns*, examines multiple-victim public shootings in the United States from 1977 to 1999 and finds that when states passed right-to-carry laws, these attacks fell by 60 percent. Deaths and injuries from multiple-victim public shootings fell on average by 78 percent.

No other gun control law had any beneficial effect. Indeed, right-to-carry laws were the only policy that consistently reduced these attacks.

To the extent attacks still occurred in right-to-carry states, they overwhelmingly happened in the special places within those states where concealed handguns were banned. The impact of right-to-carry laws on multiple-victim public shootings is much larger than on other crimes, for a simple reason. Increasing the probability that someone will be able to protect themselves, increases deterrence. Even

when any single person might have a small probability of having a concealed handgun, the probability that at least someone will is very high.

The fact that more than 2 million times each year Americans use guns defensively is never discussed - even though this is five times as often as the 450,000 times that guns are used to commit crimes over the last couple of years. Seldom do cases make the news where public shootings are stopped or mothers use guns to prevent their children from being kidnapped. Few know that a third of the public school shootings were stopped by citizens with guns before uniformed police could arrive.

In 2002 the morning and evening news broadcasts on the three main television networks carried almost 200,000 words on contemporaneous gun crime stories. By comparison, not one segment featured a civilian using a gun to stop a crime. Newspapers are not much better.

Police are extremely important in deterring crime, but they almost always arrive after the crime has been committed. Annual surveys of crime victims in the United States continually show that, when confronted by a criminal, people are safest if they have a gun. Just as the threat of arrest and prison can deter criminals from committing a crime, so can the fact that victims can defend themselves.

Gun control advocates conveniently ignore that the nations with the highest homicide rates have gun bans. Studies, such as one conducted in 2003 by Jeff Miron at Boston University, which examined 44 countries, find that stricter gun control laws tend to lead to higher homicide rates. Russia, which has banned guns since the communist revolution, has had murder rates several times higher than that of the United States. Under the Communists, the Soviet Union's rate was much higher.

Good intentions don't necessarily make good laws. What counts is whether the laws ultimately save lives. Unfortunately, too many gun laws primarily disarm law-abiding citizens, not criminals.

## **Lockdown**

WASHINGTON (Xinhuanet) -- The United States has the world's largest prison population and the figure is still growing.

According to a report released by the US Justice Department, the US prison population grew 1.9 percent to 2,267,787 people last year.

The report said the US incarceration rate, also highest among all countries, hit 486 sentenced inmates per 100,000 last year, up 18 percent from 411 a decade ago.

The five states with the highest incarceration rates in 2004 were all from the South, led by Louisiana with 816 sentenced prisoners per 100,000 residents.

Meanwhile, the five states with the lowest rates were all from the North, with Maine experiencing 148 sentenced inmates per 100,000 residents.

Paige Harrison, coauthor of the report, said the average time served by prisoners today is seven months longer than it was in 1995.

The Justice Policy Institute, a legal think tank, said the statistics show little relationship between prison population growth and the crime rate, which has been falling in recent years.

An earlier government report said the US violent crimes during 2004 were at the lowest level in over three decades.

-- China View, Oct. 23 2005

## **Holiday Eating Tips**

1. Avoid carrot sticks. Anyone who puts carrots on a holiday buffet table knows nothing of the Christmas spirit. In fact, if you see carrots, leave immediately. Go next door, where they're serving rum balls.

2. Drink as much eggnog as you can, and quickly. Like fine single-malt scotch, it's rare. In fact, it's even rarer than single-malt scotch. You can't find it any other time of year. So drink up!

3. If something comes with gravy, use it. That's the whole point of gravy. Gravy does not stand alone. Pour it on. Make a crater out of your mashed potatoes. Fill it with gravy. Repeat.

4. As for mashed potatoes, always ask if they're made with skim milk or whole milk. If it's skim, pass. Why bother? It's like buying a sports car with an automatic transmission.

5. Do not have a snack before going to a party in an effort to control your eating. The whole point of going to a Christmas party is to eat other people's food for free. Lots of it. Hello?

6. Under no circumstances should you exercise between now and New Year's. You can do that in January when you have nothing else to do. This is the time for long naps, which you'll need after circling the buffet table while carrying a 10-pound plate of food and that vat of eggnog.

7. If you come across something really good at a buffet table, like frosted Christmas cookies in the shape and size of Santa, position yourself near them and don't budge. Have as many as you can before becoming the center of attention.

8. Same for pies. Apple. Pumpkin. Mincemeat. Have a slice of each. Always have three. When else do you get to have more than one dessert?

9. One final tip: If you don't feel bloated when you leave the party, you haven't been paying attention. Reread tips; start over, but hurry, January is just around the corner!

### Seeking Volunteer Pilots for Border Surveillance

American Border Patrol is seeking volunteer pilots for its Border Hawk M, a Cessna TU-206, equipped with a TSIO 520 M 310 hp engine (300 hrs since factory remanufacture), STOL, and extended range tanks. Operations based at Bisbee Municipal Airport, Bisbee Arizona. Night and day flights with cargo doors removed. Equipped with Garmin GPS Pilot 296. Minimum qualifications are instrument rating and at least 1500 hours flying time, 500 in turbocharged aircraft. ABP covers lodging, meals and expenses

Contact Glenn Spencer at (520) 803-7703

### Tax Dollars at Work

The Food and Drug Administration is censoring health information. For example, the FDA prohibited the claim that folic acid reduces the risk of neural tube defects for four years while the Centers for Disease Control and Prevention recommended every woman of childbearing age take that supplement. Thus, the FDA contributed to an estimated 10,000 preventable neural tube defects.

An estimated 300,000 Americans die each year from sudden-death heart attacks. That number could be reduced by 40% if people were allowed to know that fish oil treats heart arrhythmias and heart thrombosis. An estimated 20 million Americans suffer pain and debilitation from osteoarthritis. That number, however, could be reduced substantially if people were allowed to know that glucosamine and chondroitin sulfate treat osteoarthritis. An estimated 50% of males over the age of 50 suffer from a benign enlarged

prostate. That number could be reduced if men were allowed to know that saw palmetto extract treats benign prostatic hyperplasia. The evidence for these dietary ingredients claims is overwhelming -- yet the FDA bans them outright!

In 1994, Congress ordered the FDA to let the public have access to scientific articles and publications on the role of nutrients in disease by passing the Dietary Supplement Health and Education Act (DSHEA). In addition, four federal court orders have condemned the FDA's practice of censorship as a violation of the First Amendment. Yet, censorship by the FDA goes on!!

The Health Freedom Protection Act would prevent the FDA from censoring Americans' right to know about truthful, health-enhancing benefits of foods and dietary ingredients.

Please urge your U.S. representative to become an original cosponsor of the Health Freedom Protection Act which will be introduced November 9th. -- <http://www.thelibertycommittee.org> Nov. 3, 2005

### Jihad in England

It is very clear, brothers and sisters, that the path of jihad and the desire for martyrdom is embedded in the holy prophet and his beloved companions.

By preparing ourselves for this kind of work, we are guaranteeing ourselves for paradise and gaining the pleasure of Allah.

And by turning our back on this work, we are guaranteeing ourselves humiliation and the anger of Allah. Jihad is an obligation on every single one of us, men and women.

-- Mohammad Sidique Khan, ringleader of the London bombings which killed 52 commuters, in a video inciting British Muslims to ignore the Islamic leaders who want integration with British society.

### "Cooling off" in Scotland

A bill to tackle knife crime has been branded "a farce" for targeting the sale of penknives while ignoring carving knives and meat cleavers.

Cathy Jamieson, the justice minister, intends to introduce a licensing scheme for "nondomestic" knives in an attempt to curb Scotland's "booze and blades" culture, which is claiming dozens of lives every year and maiming

hundreds.

Under the scheme, bladed instruments "not intended for domestic use", including hunting knives and penknives, could be sold only by licensed retailers to people over 18.

Customers wanting to buy "non-domestic" knives would have to produce ID and observe a "cooling off" period. Retailers would be forced to record all sales on CCTV and put ID markers on knives to ensure they could be traced. However, large domestic implements such as cleavers, boning knives and carving knives would be exempt from the law and could still be bought by 16-year-olds.

The proposed restrictions have been criticised by senior police officers, lawyers and local authorities.

Anthony Busuttill, a professor of forensic medicine at Edinburgh University, said that the policy would have no significant impact on the number of people killed or maimed by knives each year. While he welcomed restrictions on knives with "no use other than maiming and killing people", Busuttill estimated that 60-70% of deaths and injuries involving knives are caused by domestic implements.

"If you look at murders caused by knives in Scotland, most of them are opportunistic — somebody reaches into the kitchen drawer or knife rack and produces a blade," he said.

Burton McCall, the Leeds-based importer of Swiss Army knives, said "Many of our retailers would simply stop purchasing Swiss Army knives," he said.

"This would inflict a financial penalty on Burton McCall wholly disproportionate to the risks involved in selling a benign product of little interest to the criminal fraternity."

The new proposals follow legislation that will increase the jail term for possessing a knife in public to four years and give police powers to arrest anyone suspected of carrying a blade.

-- Sunday Times Nov. 20, 2005

Ed.: Hmm, the English can't carry any self-defense implement. Scots won't be permitted to carry knives. A situation only politicians, criminals and Jihadists could love!

### ATF Slapped for Sloppy Prosecution

On April 13, 2005 Rep Phil Gingrey introduced the Fairness in Firearms Testing Act (H.R. 1603). The bill would require the Bureau of Alcohol,

*In the beginning of change the patriot is a scarce man, brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot. – Mark Twain*

Taxation and Firearms to make video recordings of the testing and examination of firearms and ammunition, and would prohibit the agency from editing or erasing any such recording. It would also require ATF to make available a copy of the recording on a video disc to: (1) a person who requests and claims an ownership interest in such item; and (2) to a defendant in a criminal proceeding involving such item. In a criminal proceeding, the bill would require that in a firearm or ammunition shall not be admissible as evidence unless (1) the ATF has provided the defendant with a digital video recording of the relevant firearms test in question; or (2) defendant has waived in writing his right to the digital video recording of such test.

The adequacy of ATF firearms testing procedures was raised in an article written by Len Savage and distributed on the Internet ("Why the ATF's Firearm Testing Procedures Are Scientifically Invalid," Summer 2005, available at <http://www.jfpo.org/savage2.htm>) In this article Mr. Savage asserted that ATF's firearms testing procedures were "scientifically invalid." He based his assertion on a court case (*US v. Glover*, No. 3:03-69 D.N.C.) in which an individual was charged with violating the National Firearms Act for possessing an unregistered machine gun. In this case the government contended that a rifle in the possession of the defendant was fully automatic, but according to Mr. Savage the ATF firearms officer who testified against the defendant never disassembled the rifle. Upon subsequent grand jury proceedings, the firearm was found to be a semi-automatic rifle which was malfunctioning ("slam-firing") in that it fired more than one cartridge per pull of the trigger. Consequently, the presiding judge dismissed the case "with prejudice" [meaning that the government could not again prosecute the defendant]). Allegations relating to the Glover case, and perhaps other cases, prompted Rep. Gingrey to introduce legislation addressing the issue of ATF firearms testing.

H.R. 1603 was referred to the Committee on the Judiciary's Subcommittee on Crime, Terrorism and Homeland Security on May 10, 2005. No further action has been reported on this bill.

-- Congressional Research Service Memorandum, ATF Firearms Testing Procedures, October 19, 2005

## NRA Sues Over Gun Ban

SAN FRANCISCO (AP) - The National Rifle Association has sued to overturn an ordinance voters here overwhelmingly approved that bans handgun possession and sales of firearms in the city.

A state appeals court in 1982 nullified a similar gun ban largely on grounds that the city cannot enact an ordinance that conflicts with state law, which allows for the sale and possession of handguns and ammunition.

The NRA is asking the same court, the 1st District Court of Appeal, to nullify the ordinance, which demands that city residents surrender their handguns by April.

The NRA also contends the new ordinance unfairly puts San Francisco residents at a disadvantage by denying them the means to protect themselves. The measure does not bar nonresidents from possessing handguns within city limits.

City Attorney Dennis Herrera said his office will vigorously defend the ordinance, which was approved by 58 percent of voters.

He said the 1982 measure was overturned because it applied to all people within city limits, regardless of whether they lived there.

The NRA is not alleging the ordinance violates the Second Amendment right to bear arms, but it would in federal court if it loses the state case, LaPierre said.

-- AP Nov. 9, 2005

## The Supreme Court on Firearms

In 1857 -- in one of the worst Supreme Court decisions to date -- the court ruled (7-2) that Dred Scott was still a slave even though he had lived in free territory. According to the court slaves could be citizens of a state but they were not citizens of the United States. Had they been U.S. citizens they would have been entitled to the full protection of the Bill of Rights, including the right to keep and bear arms. This, of course, horrified the court. "It would give to persons of the negro race, who were recognised as citizens in any one State of the Union, the right to enter every other State whenever they pleased, singly or in companies, without pass or passport, and without obstruction, to sojourn there as long as they pleased, to go where they pleased at every hour of the day or night without molestation, unless they committed some violation of law for which a white man would be punished; and it would give them the full

liberty of speech in public and in private upon all subjects upon which its own citizens might speak; to hold public meetings upon political affairs, and to keep and carry arms wherever they went. And all of this would be done in the face of the subject race of the same color, both free and slaves, and inevitably producing discontent and insubordination among them, and endangering the peace and safety of the State." -- *Scott v. Sandford*, 60 US 393, 417

In 1876 the court ruled (9-0) in *Cruikshank* that the right to keep and bear arms was not granted by the Constitution. Indeed it predated it. Anti-firearms people misconstrue *Cruikshank* to mean that, because the Constitution doesn't grant the right to keep and bear arms the right doesn't exist. "The second and tenth counts are equally defective. The right there specified is that of 'bearing arms for a lawful purpose.' This is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence. The second amendment declares that it shall not be infringed; but this, as has been seen, means no more than that it shall not be infringed by Congress." -- *U.S. v. Cruikshank* 92 US 542, 553

## Shake and Bake

Col Tim Collins, the controversial Iraq war commander, trained his soldiers to use white phosphorus, which burns through flesh to the bone

The admission by the former Special Air Service officer, revealed in his autobiography *Rules of Engagement*, contradicts claims by the Ministry of Defence that the chemical was only ever used to create a smokescreen.

In his book, Col Collins describes how he trained 1bn Royal Irish Regiment for an attack planned for April 2003 that was later cancelled.

Discussing the weapons to be used in the operation in the Basra area, he wrote: "The star of the show was the new grenade which had only been on issue since the previous summer. It absolutely trashed the inside of the room it was put into.

"I directed the men to use them where possible with white phosphorus, as the noxious smoke and heat had the effect of drawing out any enemy from cover, while the fragmentation grenade would shred them."

Col Collins' tactics mirror the United States army "shake and bake"

technique which involves forcing troops out of cover with white phosphorus and then killing them with artillery rounds.

A Pentagon spokesman, Lt Col Barry Venable said: "When you have enemy forces in covered positions that your high explosive artillery rounds are not having an impact on, one technique is to fire white phosphorus into the position because the combined effects of the fire and smoke will drive them out so that you can kill them with high explosives."

White phosphorus has been used by the British Army for decades to create instantaneous smokescreens during battle. In contact with skin, however, it burns to the bone and the gas it produces, phosphorus pentoxide, is poisonous.

Article two of Protocol Three of the 1980 Convention on Conventional Weapons bans the use of the weapon against civilians and also military targets located within civilian areas. Although the US is not a signatory of the convention, Britain is.

It remains unclear whether British troops went on to use white phosphorus against Iraqi forces.

Prof Paul Rogers, of Bradford University's peace studies department, said he believed that most soldiers would use all weapons at their disposal.

He said: "There is a presumption among certain members of the population that wars are clean. They are not."

-- Telegraph Group Limited 2005

## Air Force Unveils Hand-held Laser Gun

The US Air Force has unveiled its first hand-held laser weapon that gives security forces a non-lethal option for controlling crowds and protecting areas like checkpoints, according to service officials.

While only in prototype form and years away from fielding, the weapon, known as the Personnel Halting and Stimulation Response (PHaSR) system, holds great promise, they said.

The PHaSR is about the same size and weight of a fully loaded M60 machine gun - around 9 kg - but shoots a low-power beam of laser light instead of bullets. The light it generates is capable of temporarily impairing an individual's vision, much like the disorienting glare one sees when looking into the sun, said the officials.

Upon completion of testing, one prototype will be handed over to the Department of Defense's Joint Non-

Lethal Weapons Directorate (JNLWD) and the second to the National Institute of Justice (NIJ): the law enforcement arm of the US Department of Justice. Both organisations support the programme, with the latter interested in its civil applications.

-- *Jane's Defence Weekly*, Nov. 25, 2005

## "Five Deceptions of Islam"

A video by Avi Lipkin

Few realize that President Bush's much heralded "Road Map" to "Peace and Safety" in Israel is based upon a person accepting as fact the "Five Deceptions of Islam."

This video covers the following deceptions of Islam: 1. A Religion of Love 2. A Religion of Peace 3. Allah is God 4. Jesus of Islam is the same Jesus of Christianity 5. The Koran is the divine word of God to Mohammed

It is our aim that, after viewing the truth contained within this video, you will never be deceived about the possibility of "Peace" with Islam, either for Jews or for Christians. Avi Lipkin attended the Jewish Theological Seminary for three years. He grew up in the New York area and moved to Israel at the age of 19. He was a spokesman for the Israeli Army for 14 years. Avi is an author of three books. 2 hrs. 40 min.

Available for \$28.99 from Cutting Edge Ministries, 100 Old Cherokee Rd., Suite F-1, Lexington, SC 29072

## Bangladesh Threatened by Fascists of the Koran

By Francois Hauter

Muslim extremists exploded 459 bombs in a half hour on Aug. 17 in 63 of Bangladesh's 64 districts. Could Bangladesh, the third largest Muslim country after Indonesia and Pakistan, tip over into a religious radicalism?

Bombing by Islamist radicals began in March 1999, killing primarily Muslims at cinemas, theaters, women's competitive sports events, government organizations that defend women's rights, as well as intellectuals, artists, and liberals. In short, all the country's secular and progressive forces.

The Islamist extremists represent only 5% of the 125 million Muslims of Bangladesh. Financed by the Wahabites of Saudi Arabia or Kuwait, these fascists of the Koran kill in the name of Allah. They've decided to impose a universal Muslim law, or sharia.

The August 17 explosions were "... a test to see whether everything in their organization was working properly," explains Masud, a journalist who has devoted long investigations to these groups.

The operation was characterized by an absolute precision: the attacks, which were not intended to kill, caused two deaths (children who opened the bags) and a hundred wounded only, while tracts of the Jamaatul Mujahedin Bangladesh (JMB) were laid down near the debris.

In those tracts, the JMB's "armies of Allah" explained that "with the exception of Allah, no one has the right to enact laws," and ordered the Dacca government to "have the courage to defy Bush and Blair" and to decree sharia in Bangladesh. In the face of this challenge, the Bangladeshi government demonstrated a remarkable passivity. A minister described the 459 bombs as "squibs." Finally about fifteen hapless bag-holders were held behind bars. Prime Minister Khaleda Zia, whose party (BNP) only stays in power thanks to the support of Islamists, waited three weeks before pronouncing a very woolly speech.

Could the country tip over? In Dacca today, intellectuals display their incredulity and their pessimism and don't know how to act. "For the most part, they are liberals in favor of secularism," explains Father Sirajul Islam, the author of the *Encyclopedia Bangladi*, "but they violently reject United States' policy towards the Muslim world and worry about the rapprochement between Delhi and Washington."

The Islamists capitalize on these universally shared sentiments. "India is the Hindus' country and the Hindus are the Muslims' enemies!" they thunder at their poorly educated, even illiterate, troops before concluding: "Islam is our only shield against India - which wants to invade us!"

Twenty years ago, radical Islamists had neither social grip, nor economic power, nor political importance. Today, they reign over powerful banks (the Islamic Bank is the first in the country), diversified companies and 350 NGOs that assure them 150 million Euros of annual income. They manage between 8,000 and 15,000 madrassas, Koranic schools. So many holding tanks for mobilizing crowds of sympathizers.

-- *Le Figaro* Sept. 21, 2005

Ed. Maybe Lipkin will revise his "Five Deceptions of Islam" to include Jihadists' hatred of Hindus too?

## Um, About That 'Dirty bomb'?

Almost three and a half years ago, Chicago-born Jose Padilla was arrested for allegedly planning to explode a "dirty bomb" and blow up apartment buildings. The attorney general, John Ashcroft, said Padilla was a Qaeda-trained terrorist so dangerous that he was being tossed into a Navy brig.

The administration defended its right to hold Padilla without legal process because he was declared an unlawful enemy combatant, one of the new powers the President granted himself after 9/11. Padilla's plot was thwarted, the Justice Department claimed, only because of the government's ability to hold suspected terrorists in secretive prisons, where the "dirty bomb" plot supposedly was divulged by a top al-Qaeda member.

Never mind. As of yesterday Mr. Padilla stopped being an unlawful combatant and will not be charged with planning to explode dirty bombs. The new attorney general, [torture apologizer] Alberto Gonzales, refused to talk about the issue. Just in time for the administration to prod Congress on extending the Patriot Act and to avoid having to argue the case before the Supreme Court.

The Padilla case was supposed to be an example of why the administration needs to suspend prisoners' rights when it comes to the war on terror. It turned out to be the opposite. If Padilla was seriously planning a "dirty bomb" attack, he can never be held accountable for it in court because the illegal conditions under which he has been held will make it impossible to do that. If he was only an inept fellow traveler in the terrorist community, he is excellent proof that the government is fallible and needs the normal checks of the judicial system. And, of course, if he is innocent, he was the victim of a terrible injustice.

The same is true of the hundreds of other men held at Guantánamo Bay and in the CIA's secret prisons. This is hardly what Americans have had in mind hearing

Mr. Bush's constant assurances since Sept. 11, 2001, that he will bring terrorists to justice.

NY Times editorial Nov. 23, 2005

## Shepherds Awake!

The president's own United Methodist Church's Board of Church and Society, in an almost unanimous vote, has issued a strong statement against torture, urging Congress to create an independent, bipartisan commission to investigate detention and interrogation practices at Guantanamo, Iraq, and Afghanistan. There are reports that Methodist bishops may issue a similarly strong statement.

Until now, the lukewarm mainstream churches have not been able to find their voice - a throwback to the unconscionably passive stance adopted by the Catholic and Lutheran churches co-opted by Hitler in the 1930s. Let us hope that other churches, synagogues, and mosques start tuning in to what is going on and bite the bullet, like the Methodists.

-- By Ray McGovern, former CIA analyst and co-founder of Veteran Intelligence Professionals for Sanity

## From the Mail Bag

Hello!

I was wondering whether your website is affiliated with the National Guard? I am quite pleased with the overall expression of the purpose and intentions of the New Jersey state militia throughout the web pages, which leads me to my next question: how successful are the endeavors upon which the group has embarked, in terms of political action? I don't wish to pry, but--for me, at least--it is absurd to think that the United States has, in fact, regressed into a nation which relies on the concepts found in Communism (literally, as presented by the precepts of the Communist Manifesto you have wisely included in your pages) in order to be successful. Perhaps not entirely--but the influence is there. I am of the mind that believes our government needs to critically reevaluate the

direction in which it is headed. The only way this can be done is together, and with careful consideration for the future (in stark contrast to today's political policies). Thanks for your time, I eagerly await your response!

Sincerely,  
Andrew M.

Ed.: Sorry, Andy, the NJ militia has absolutely no connection with the National Guard. The NG is a Johnny-come-lately established in 1906 as a quasi federal army. NJM was officially recognized in 1683 during Jersey's proprietary period when a militia act required all males from 16 to 60 to possess arms and to drill two days a year. The militia existed in the Jerseys prior to that date, even no doubt during the period when the Dutch claimed the area.

But which came first is not the most important point. Though National Guardsmen take an oath to defend the Constitution action speaks louder than words. Recently the Guard went door to door in New Orleans and confiscated firearms; forgetting their oath completely. New Jersey militiamen fought for the people at the battle of Monmouth in 1777 to ensure that they would have the right to firearms to defend themselves. The modern day militia would never, we believe, allow itself to become an instrument of tyranny.

Unfortunately the 10 principles of the Communist Manifesto have been partially adopted in America; but they in no way contribute to our success. Quite the contrary. Private property, for example, is still permitted to a degree. The recent *Kelo* decision regarding eminent domain further expands government power to seize private property, thereby indicating in our view that "communism" is very much alive.

\* \* \*

"Who are the militia? Are they not ourselves? Congress have no power to disarm the militia. Their swords and every other terrible implement of the soldier are the birthright of an American." - Tench Coxe of Pennsylvania, *The Pennsylvania Gazette*, Feb. 20, 1788

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